THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 7902 OF 2006

DATE: 20-4-2006

Between:

V.R.College, Nellore …. Petitioner

And

1. The Provident Fund Appellate Tribunal,

New Delhi, rep. by its Registrar

And 16 others … Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 7902 OF 2006

ORDER:

Heard Sri S.Ashok Anand Kumar, learned counsel for the petitioner and Sri R.N.Reddy, learned standing counsel for the 2nd respondent and at their request the writ petition is disposed of at the stage of admission.

On a query from this court, Sri Ashok Anand Kumar would submit that despite availing the alternative remedy of appeal, inasmuch as there is no Presiding Officer holding office, neither the petitioner's appeal nor the stay application

has been taken up for consideration necessitating his invoking the extra-ordinary jurisdiction of this Court under Article 226 of the Constitution of India.

Sri R.N.Reddy, learned standing counsel for 2nd respondent, placed before this court an order of the Division Bench of this Court, in W.A.No.1880 of 2003 dated 4.11.2003, wherein this Court directed the respondent not to take any coercive steps for realization of the amounts subject to the condition that 50% of the amount demanded be deposited within four weeks from the date of the order failing which the writ proceedings would stand dismissed.

In the circumstances, since the bank accounts of the petitioner are under attachment, the 2nd respondent is directed to retain 50% of the amount demanded and lift the order of attachment for the remaining balance in the bank account and other fixed deposits. Needless to state that the amount retained by the respondents will be subject to any further orders that may be passed by the appellate authority under the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

The writ petition is accordingly disposed of. No order as to costs.

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20-4-2006

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